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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

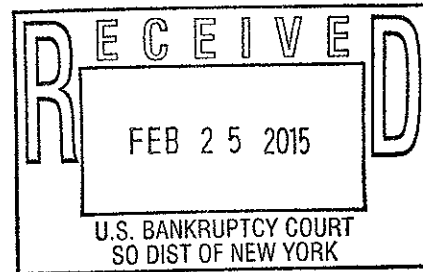
In re: _____ X
RESIDENTIAL CAPITAL, LLC, et al., _____

GMAC Mortgage, LLC; _____
Residential Funding Company, LLC; _____
Residential Funding Real Estate _____
Holdings, LLC; _____
Homecoming Financial, LLC; _____
Executive Trustee Services, LLC _____
Debtors: _____
_____ X

No. 12-12020 (MG)

IN PROCEEDINGS
UNDER CHAPTER 11

Jointly Administered



**NOTICE OF FILING OF THIRD-PARTY ACTION
AGAINST RESIDENTIAL FUNDING COMPANY, LLC**

1. This Notice is furnished for the purpose of advising this Court and all Parties to an action potentially affecting Debtor Defendant Residential Funding Company, LLC in its reorganized form, and the Liquidating Trust operating under the authority of this Procedure. It

may also bring future impact to these parties pending outcome of the action herein announced, as described infra.

2. This Notice is filed concurrently with and is supportive of RESPONSE TO OBJECTION TO CLAIM NUMBERS 2385, 2386, 2387, 2388, AND 2389 FILED BY DUNCAN K. ROBERTSON, et al (“Response”).

1. This Notice is supported by DECLARATION OF DUNCAN K. ROBERTSON, and NOTICE OF 9TH CIRCUIT APPEAL, also filed concurrently.

3. Duncan K. Robertson (“Robertson”) is a Claimant¹ against Debtors GMAC Mortgage, LLC, Executive Trustee Services, LLC; Residential Funding Real Estate Holdings, LLC; Residential Funding Company, LLC; Residential Funding Corporation; and Homecomings Financial, LLC (“Debtor Defendants”).

4. On July 24, 2014 a Complaint For Deed of Trust Foreclosure was filed in King County Superior Court, State of Washington titled *21st Mortgage Corp. v. Linda C. Nicholls; Duncan K. Robertson; and Jane Doe Robertson*, No. 14-2-20431-1 SEA (King Cnty. Sup. Ct.).

5. On November 7, 2014 Robertson, through counsel, filed DUNCAN K. ROBERTSON ANSWER TO COMPLAINT, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS (VERIFIED).

6. On November 26, 2014 Robertson, through counsel, filed AMENDED DUNCAN K. ROBERTSON'S ANSWERS, AFFIRMATIVE DEFENSES, COUNTERCLAIMS, AND THIRD-PARTY COMPLAINT (“Third-Party Complaint”). See Robertson Declaration Exhibit 3.

7. Automatic Stay under 11 U.S.C §362 applies to an action “that was or could have been commenced before the commencement of the case under this title[.]” §362(a)(1). The original Robertson filing and the Third Party Complaint include only claims against Debtor

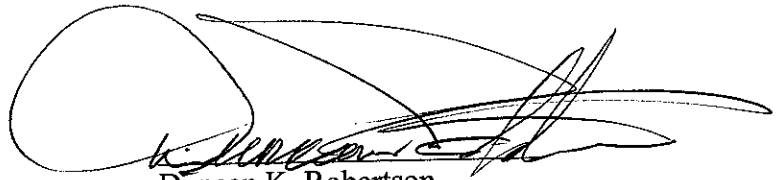
¹ Claim Nos. 2385, 2386, 2387, 2388 and 2389.

RFC-LLC arising post-bankruptcy-petition. These acts also occurred after the filing of Robertson's Complaint in *Robertson v. GMAC Mortgage, LLC, et al.*, No. C12-2017 MJP (WD Wash. 2014), upon which all his current claims against the Liquidating Trust are based. Robertson never amended his Complaint in that action. Thus, None of the acts in the Third-Party Complaint for which Robertson is asserting RFC-LLC liability is reflected in his previous claims in this Procedure.

8. A favorable outcome for Robertson in the adjudication may result in the awarding of monetary amounts including costs and fees that may be non-dischargeable as to RFC-LLC. Legal basis of these possibilities and Robertson's recognition of this Court's authority to review any such awards are addressed in NOTICE OF 9TH CIRCUIT APPEAL at ¶ 16.

Respectfully submitted,

Dated: February 24, 2015
Portland, Oregon



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